

REMARKS

Claims 1, 10, 12 and 13 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully traverse this rejection.

Applicants have amended Claims 1, 10, 12 and 13 to place them in better Markush format, using essentially the same language suggested by the Examiner. Accordingly, Applicants respectfully request the withdrawal of this §112, second paragraph, rejection of Claims 1, 10, 12 and 13.

Claims 1-4, 6, 10, 12 and 13 stand rejected under 35 U.S.C. §103 as being unpatentable over United States Patent No. 6,280,813 to Carey et al. in view of United States Patent No. 6,221,481 to Wu et al. Applicants respectfully traverse this rejection.

Applicants respectfully submit that all of the features of the present invention are not disclosed or suggested in the cited references. In particular, the cited references fail to disclose or suggest a magnetic recording medium that includes, *inter alia*, a non-magnetic coupling layer made of a Ru-M3 alloy, where “M3 is an element or alloy thereof selected from a group consisting of Co, Fe, Ni and Mn,” as defined in independent Claims 1 and 10.

As correctly acknowledged by the Examiner during the December 9, 2003 telephone conference with Applicants’ representative, deleting the reference to “Cr” from independent Claims 1 and 10 would make these claims read over the cited references.

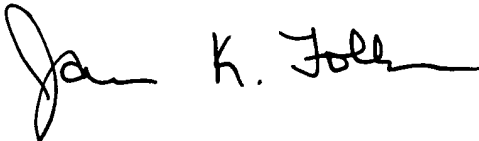
Applicants believe that the Examiner mentioned deleting Cr from Claims 1 and 10 because although Cr, and its alloys, are listed in the Carey et al. reference as suggested materials for the coupling layer, the other remaining elements of Claims 1 and 10 (Co, Fe, Ni, and Mn,) are not listed as suggested materials for the coupling layer, nor are their alloys listed in Carey et al. Nor are these remaining elements disclosed for a coupling layer in the Wu et al. reference. Accordingly, as all of the features of independent Claims 1 and 10 are not disclosed or suggested in the cited references, Applicants respectfully request the withdrawal of this §103 rejection of independent Claims 1 and 10.

Claims 2-4, 6, 12 and 13 all depend, directly or indirectly, from independent Claim 1, and therefore include all of the features of Claim 1, plus additional features. Accordingly, Applicants respectfully request that the § 103 rejection of dependent Claims 2-4, 6, 12 and 13 under Carey et al. in view of Wu et al. be withdrawn considering the above remarks directed to independent Claims 1 and 10.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By 
James K. Folker
Registration No. 37,538

June 15, 2004

Suite 2500
300 South Wacker Drive
Chicago, Illinois 60606
(312) 360-0080

Customer No. 24978
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